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EC CARICOM COLLECTIVE
RUEABND/DEA HQS WASHINGTON DC
RUEATRS/DEPT OF TREASURY WASHINGTON DC
RUEHBR/AMEMBASSY BRASILIA 0001
RUEHLO/AMEMBASSY LONDON 0016
RUEHOT/AMEMBASSY OTTAWA 0016

C O N F I D E N T I A L KINGSTON 000701

SIPDIS

STATE FOR WHA/CAR - J.MACK-WILSON, W.SMITH, V.DEPIRRO
L/LEI - C.HOLLAND, A.KLUESNER
INR/IAA - G.BOHIGAN
INR/RES - R.WARNER
JUSTICE FOR OIA - P.PETTY
TREASURY FOR E.NEPHEW
AMEMBASSY BRIDGETOWN PASS TO AMEMBASSY GRENADA

E.O. 12958: DECL: 2019/09/18

TAGS: CJAN PREL PGOV SNAR SOCI ECON ASEC KCOR KCRM JM XL
SUBJECT: JAMAICA: FOREIGN MINISTER'S VIEWS re HIGH-PROFILE
EXTRADITION REQUEST

REF: STATE 85807 (181409Z AUG 09)(NOTAL)
KINGSTON 655 (2821557Z AUHG 09); KINGSTON 666 (021935Z SEP 09)
KINGSTON 676 (041911Z SEP 09); KINGSTON 680 (082054Z SEP 09)
KINGSTON 697 (18150Z SEP 09)

CLASSIFIED BY: I.L. Parnell, Charge, State, Kingston; REASON: 1.4(A),
(D)

Summary

1.(C) The Government of Jamaica (GoJ) has responded to the USG's request for the extradition of reputed "Don" Christopher Coke, to face charges in New York of trafficking in drugs and firearms, with a diplomatic note (transmitted septel) requesting additional information. The GoJ's Minister of Foreign Affairs stresses that the timing of the request is "extremely delicate" because of the economic crisis facing the country; the GoJ will have to carefully "review the situation" and adopt "measures to address the social consequences," weighing the "implications for stability," and recognizing that "unrest is possible." End Summary.

2.(C) The Government of Jamaica (GoJ)'s Minister of Foreign Affairs & Foreign Trade, Dr. Kenneth Baugh, summoned ChargC to a private meeting on the morning of Sept. 18; Baugh was accompanied by the Ministry of Foreign Affairs & Foreign Trade (MFAFT)'s Minister of State Dr. Ronald Robinson, Permanent Secretary Amb. Evadne Coye, and Under-Secretary for Bilateral and Regional Affairs Amb. Paul Robotham. Baugh began by saying that, based on input from the Attorney General and Ministry of Justice, the MFAFT was preparing a diplomatic note in reply to the U.S. extradition request for Christopher Coke (reftel A); MFAFT's note would be ready within a few minutes. He then said he hoped that communications between the GoJ and USG could be treated confidentially, and that no public statements would be made.

3.(C) ChargC thanked Baugh for the chance to meet and for the good overall relationship between the USA and Jamaica, and then reemphasized the importance attached by the USG and the Embassy to this extradition request. The USG appreciated the 15-20 years of consistency in effective implementation of the Extradition Treaty,

and was disappointed that the GoJ had stretched out this particular request so long. The USG had worked judiciously with various levels of the GoJ to ensure the bona fides of the request, and had been candid in explaining what was happening and how. Therefore, we had been perplexed by the GoJ's expressions of "surprise" and questions regarding the bona fides of the request. We were not suggesting that the GoJ should not ensure that the request meets the standards of due process; however, in light of the care taken, we were disappointed with the progress to date. We understood that the GoJ would request that confidential witnesses be named in the request; Baugh confirmed that this was one of the technical problems which would be delineated in the GoJ's forthcoming diplomatic note (septel). ChargC pointed out that Footnote No. 1 of the request had addressed this issue; we therefore viewed this objection as problematic. The USG had given the GoJ the first indications that this extradition request would be forthcoming over two months ago, and had sought the GoJ's counsel at every turn.

4.(C) Baugh then said that he had no details of whatever consultations may have taken place before the date of delivery of the extradition request. He then said that, in any event, the timing of the request was "extremely delicate" because of the economic crisis facing Jamaica; the GoJ would have to carefully "review the situation" and adopt "measures to address the social consequences," weighing the "implications for stability," recognizing that "unrest is possible." Current economic conditions made this extradition request "politically difficult." He noted

that the Cabinet had met three times in the last week in an effort to meet the IMF's conditions for assistance to Jamaica. The economy had lost 30-40,000 jobs in the current recession, and remittances were in decline. This extradition had "special significance" in light of the poverty and economic crises experienced by Jamaica in the 1970s and 80s; the formal economy had been unable to offer jobs, and therefore many marginalized Jamaicans had been forced to turn to the informal economy to survive. Over this period, Jamaica had become a "channel" for illegal drugs in high demand in North America and Europe; Jamaica was "at the mercy" of Latin America and North America, but "we still cooperate" with the USA, even though our people are "vulnerable" and drugs/arms trafficking had become "embedded." The Caribbean Basin Initiative had been conceived as a "mini-Marshall Plan" for the region, but when the Caribbean was not included in NAFTA, the region had "lost ground." Coke was not just a "drug kingpin;" he was a powerful figure embedded in critical socio-economic needs of many Jamaicans. Something of a Mexican standoff had evolved: if Coke were arrested, this might be perceived as unjust by many Jamaicans, resulting in an uproar which could end up destabilizing the country.

5.(C) ChargC said he knew the case was not an easy one, and recognized the challenges; nevertheless, the U.S. position was that the GoJ must honor the provisions of the Extradition Treaty. The USG was concerned that whole communities had become dependent on the trafficking of drugs and firearms. If Coke were not extradited, this would set a dangerous precedent for possible future extradition requests; the USA-Jamaica partnership rested not just on dealing with easy cases, but difficult ones, as well. The U.S. expected no differences in the steps for handling this particular request. It would be problematic to end this discussion thinking that the GoJ would not adhere to treaty provisions due simply to the social/economic/political concerns that might apply to individual cases..

6.(C) Baugh then said that the GoJ's first concern was with the security of the country; therefore, it must manage the extradition process carefully, making sure that "everything is on track." Many Jamaicans had been denied basic necessities by the "circumstances of birth," and the GoJ must "establish equity." In many ways, Jamaica was reaping the results of what was happening in the U.S. and UK. He then said he was happy to work with the U.S. and

Secretary Clinton on regional programs to advance the security and economy of the Caribbean. The GoJ wanted to cooperate fully, and was committed to honor the Extradition Treaty - but in ways that "can avoid destabilizing the country."

7.(C) ChargC) then noted that a failure to extradite Coke would represent "a serious step backward." One of the reasons for security concerns in Jamaica's "garrison" communities was precisely because Coke and others were importing firearms and trafficking drugs. ChargC) asked whether the GoJ took the position that extradition treaty provisions only applied to lesser criminals; Baugh replied that anyone found guilty should be dealt with according to law, and then noted that the "technical aspects" of the Extradition Treaty must be decided by the Solicitor General and Ministry of Justice, bearing in mind the GoJ's duty to ensure that the rights of individual citizens were protected. ChargC) then pointed out that several years ago the Jamaican courts had ruled that there was no requirement that extradition requests name witnesses. Baugh said he would be surprised if the Solicitor General and Ministry of Justice were unfamiliar with the court's previous rulings vis-C -vis extradition requests. Baugh then raised concerns over a recent lawsuit by a Jamaican who had been extradited to the USA, filed on the grounds that extradition procedures had not been followed properly. ChargC) noted that a number of extradition requests in which witnesses had not been

named had been successfully processed by the GoJ; the U.S. was disappointed that the GoJ had not moved more expeditiously and positively in the Coke case, but would continue to look for ways to move forward.

8.(C) Baugh then again inquired about the possibility of keeping all communications between the USG and GoJ confidential.. ChargC) assured Baugh that he would continue to alert the GoJ regarding any anticipated USG press releases, but noted that he had no control over what other agencies of the USG may release in the USA. Baugh then noted that the publicity to date surrounding the extradition request had "created disadvantages." He then asked how word of the extradition request had ended up in the public domain. ChargC) noted that he was equally surprised to see press reports about the extradition request only one day after the diplomatic note had been delivered to the MFAFT. ChargC) noted that the Embassy could not commit to issuing no statements to the press until we had had time to review the GoJ's diplomatic note. ChargC) also advised Baugh that, during his upcoming visit to New York, he may receive a call from A/S Shannon expressing USG interest in the extradition case.

9.(C) Baugh then expressed hopes for continued cooperation and friendship between Jamaica and the USA, and asked that Washington keep in mind that Jamaica's small economy loses 80% of its human capital to North America and the UK, and got criminal deportees in return, saying "we're victims, not the cause" of crime, and calling the relationship "asymmetrical." ChargC) responded that the U.S. wanted to remain a good partner, and by pointing out:

-- recent statements by Secretary Clinton and President Obama acknowledging that the U.S. demand for illegal drugs was a critical component of the drug problem;

-- the need for both societies to take advantage of opportunities to remove elements of crime and violence;

-- and the importance of confidence in the rule-of-law in attracting international investors and tourists to Jamaica;

ChargC) concluded by wishing the Foreign Minister a pleasant and successful visit to New York for the UNGA.
Parnell